

OFFICIAL WARNING UNDER SECTION 75A OF THE CHARITIES ACT 2011

Under the power in section 75A 1(b) of the Charities Act 2011 the Charity Commission for England and Wales (“the Commission”) issues the following

OFFICIAL WARNING

to

The National Hereditary Breast Cancer Helpline – 1150183

on the grounds that the Charity Commission considers that the trustees of the charity have committed a breach of trust or duty or misconduct or mismanagement in the administration of the charity in relation to:

-) making unauthorised payments to a connected person
-) entering into an informal loan agreement with a connected person
-) improperly delegating the administration and management of the charity
-) failing to keep proper minutes and other records of decision making
-) failing to properly implement and manage financial controls.

The Commission had previously issued an Action Plan under section 15 of the Charities Act 2011 to the trustees of the charity on 26 August 2016 in respect of these issues. At a follow-up inspection visit on 18 October 2016 the Commission was concerned to find that although the trustees had made some progress, they had failed to fully comply with the terms of the Action Plan.

Action that the Commission considers should be taken to rectify the misconduct or mismanagement or breach of trust

The trustees are to:

-) ensure that any payments to individuals are made lawfully and that any appropriate consent from the Commission is obtained beforehand
-) ensure that any loan agreement provides sufficient protection of the charity's interests and is both reviewed and documented sufficiently
-) ensure that all decisions are properly and adequately recorded
-) ensure that they alone take decisions regarding the management and administration of the charity, and must delegate only in accordance with their duties
-) develop and implement sufficient financial controls to ensure the charity's assets are not exposed to undue risk.